

# DTSC Green Ribbon Science Panel

September 13-14, 2018

## Background Document

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This document provides a brief background on topics to be discussed at the September meeting of the Department of Toxic Substance Control's Green Ribbon Science Panel (GRSP). Some topics have additional supplemental documents that will also be made available. The topics outlined below are focused on supporting the implementation of the Safer Consumer Products (SCP) regulations.

### Topic 1. Alternatives Analysis Example Evaluation Update

#### *Topic Summary:*

SCP staff have evaluated thirteen example alternatives analyses through the lens of the SCP regulations. The preliminary results of this evaluation were presented at the February 2018 GRSP meeting. SCP has built on the preliminary results provided at the last meeting to refine the individual evaluations. We've also developed a synopsis document that highlights common challenges identified during the review of the alternatives assessments.

#### *Questions to Panel:*

- Do the AA example evaluation review and the synopsis documents effectively communicate the results of the evaluation?
- What were the most surprising or informative aspects of the evaluation?
- What challenges associated with alternatives analysis were not elucidated by the examples evaluated?
- How can we use our findings to advance the community of practice and to support responsible entities – training and outreach ideas, funded pilots or research, etc.?

#### *Supporting documents:*

AA Example Evaluations - Updated

AA Example Evaluation Synopsis

### Topic 2. Carpets with PFAS Proposal

#### *Topic Summary:*

DTSC has recently proposed listing carpets and rugs with PFAS as a Priority Product. This Priority Product proposal represents the first time that SCP has utilized the chemical class approach. A document summarizing DTSC's rationale for listing carpets with the entire class of PFAS as a Priority Product has been provided. We have extracted the portions of the profile that are the key basis behind our decision to enlist the class approach for this proposed Priority Product. As this document is an abbreviated version of the [Carpets with PFAS technical profile](#), reading it is not necessary for those who have already read the full document.

*Questions to Panel:*

- Was SCP effective in communicating the need for the class approach?
- Do you have questions about the rationale presented or the underlying science?
- How does the class approach fit with the intent of SCP and the Green Chemistry Law?
- Individual chemicals and sub-classes within the larger PFAS class are characterized to varying extents with regards to their hazard traits and exposure potential. Is the variable level of characterization significant for the proposed listing?
- How can and should we apply what we've learned through this class approach for future prioritization of chemical groups?

Supporting documents:

PFAS Technical Summary

Wang et al. (2017) A Never-Ending Story of Per- and Polyfluoroalkyl Substances (PFASs)?

Environmental Science and Technology (51) 2508-2518

<https://doi.org/10.1021/acs.est.6b04806>

Brendel et al. (2018) Short-chain perfluoroalkyl acids: environmental concerns and a regulatory strategy under REACH. Environmental Sciences Europe 30:9

<https://doi.org/10.1186/s12302-018-0134-4>

### Topic 3. Multiple Perspectives on Decision Making

*Topic Summary:*

GRSP members have repeatedly highlighted the need for additional guidance for stakeholders in decision-making. This topic will be a starting point in a long-term discussion about the challenges companies face in decision making in an Alternatives Analysis and how SCP can best help stakeholders overcome these challenges. Three presentations will set up this topic at the meeting that focus on different perspectives of decision making: regulatory, academic, and industry.

SCP will briefly review what decision-making means in the context of the Alternatives Analysis process and what the Program has learned in the evaluation of example alternatives assessments. GRSP member Tim Malloy will provide an overview of what the research shows about decision-making challenges in an AA, including major outcomes and SCP-relevant findings from the December 2017 UCLA/Society for Risk Analysis AA workshop. To conclude, GRSP member Mike Caringello and associates from other companies within the SC Johnson family will speak on the practicalities of decision making, the challenges companies face in making decisions, and how these challenges may differ based on available company resources. They will also highlight examples of decision making methodologies and how companies support their decisions.

*Questions to Panel:*

- What are the biggest challenges companies encounter around decision-making?
  - Do these vary significantly by company size, industry sector, product type (i.e., formulated product vs. component) or other factors?
- Which of these challenges warrant additional stakeholder assistance from SCP? Why?

- What are the most effective means by which SCP can help stakeholders with these challenges?
- What existing tools are most applicable to the SCP process? What new tools may be needed that SCP could help cultivate?

*Supporting Documents: 8 Please note sections called out for closer review.*

Malloy et al. (2017) Advancing Alternative Analysis: Integration of Decision Science.

Environmental Health Perspectives 125 (6): 066001-1 – 066001-12

Tickner et al. (2018) Advancing Alternatives Assessment for Safer Chemical Substitution: A

Research and Practice Agenda. Integrated Environmental Assessment and Management.

2018 Aug 17. DOI 10.1002/ieam.4094

## Topic 4. Green Chemistry Law Policy Evaluation

### *Topic Summary*

The California Breast Cancer Research Project funded a policy research project to assess the performance of California's Green Chemistry laws using qualitative research methods. Gina Solomon is the principal investigator of the study which was designed to evaluate whether there are politically and scientifically feasible policy enhancements that could significantly strengthen and assist in the implementation of California's existing laws on green chemistry and toxic chemicals. These findings were used to generate a framework of essential elements that must be addressed for effective chemicals policy, and to evaluate the California program against these elements.

### *Questions to Panel*

- What are your observations regarding the evaluation?
- Which findings are most important for SCP to address?
- Are there additional observations related to implementation of the Green Chemistry laws that you think are important to highlight?
- What strategies would you suggest for improving the SCP program based on this evaluation?
- How do the findings align with your observations of DTSC's implementation of the regulations?

### *Supporting Documents:*

Green Chemistry Law Policy Evaluation Project Preliminary Summary of Findings

## Topic 5. PAA Template

### *Topic Summary*

The AA team has built a work plan that's been extensively informed by the last GRSP meeting. As part of this work they've drafted a Preliminary AA (PAA) template for stakeholders. This template is intended to be used in conjunction with the [Alternatives Analysis Guide](#), AA Examples Evaluation, and AA Examples Evaluation Synopsis documents to assist stakeholders through the Alternatives Analysis process. DTSC will hear feedback from the panel on the PAA template.

At this time, DTSC does not plan to release a Final AA (FAA) template. The inherent flexibility of the regulations makes it challenging to create a template that does not curtail that flexibility. Additionally, if an FAA template were developed, it would be best to base it on user experience with the PAA and with input and feedback from the regulated. Note that in developing AA guidance materials, SCP has paid special attention to avoiding [underground regulations](#), a scenario in which a department sets a standard for adhering to regulations other than that which is indicated by the regulations themselves. While SCP has considered generating example AA reports to help guide stakeholders, as suggested by GRSP panel members in previous meetings, multiple examples spanning a wide range of compliance options would have to be created to avoid the appearance of setting a standard outside of the official regulatory process and to be consistent with the flexibility of the SCP regulations and the AA Guide.

*Questions to Panel*

- Will the PAA template assist stakeholders in their completion of a PAA?
- What are the strengths and weaknesses of the template?
- What should be added/removed to make the PAA template more useful for stakeholders?
- DTSC would welcome further discussion of an FAA template by the panel.

*Supporting documents:*

[Preliminary AA Template](#)